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Honorable Linda B. Riegle United States Bankruptcy Judge

Entered on Docket

November 29, 2011 LEWIS AND ROCA LLP

6 Robert M. Charles, Jr. (NV 6593) John Hinderaker (AZ 018024)

3993 Howard Hughes Parkway, Ste. 600

Las Vegas, Nevada 89169-5996

Telephone (702) 949-8320

Facsimile (702) 949-8321

Email: rcharles@lrlaw.com

jhinderaker@lrlaw.com

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11 | Attorneys for USACM Liquidating Trust

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In re:

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UNITED STATES BANKRUPTCY COURT DISTRICT OF NEVADA

USA COMMERCIAL MORTGAGE COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

ORDER SUSTAINING EIGHTEENTH OMNIBUS OBJECTION OF USACM LIQUIDATING TRUST TO DUPLICATE PROOFS OF CLAIM

Hearing Date:

November 15, 2011

Hearing Time: 9:30 a.m.

The Court having considered the Eighteenth Omnibus Objection Of USACM Liquidating Trust To Duplicate Proofs Of Claim [DE 9395], (the "Objection"); at the hearing held on November 15, 2011; appropriate notice of the Objection having been given; no responses having been filed; and good cause appearing:

IT IS ORDERED:

1. The Objection [DE 9395] is sustained; and

1 The Proofs of Claims listed on Exhibit A are disallowed to the extent they 2. 2 are duplicative of another Proof of Claim filed by the same claimant as indicated on 3 Exhibit A attached. 4 5 6 PREPARED AND RESPECTFULLY SUBMITTED BY: 7 LEWIS AND ROCA LLP 8 9 By /s/ John Hinderaker (AZ #018024) Robert M. Charles, Jr. 10 John Hinderaker (pro hac vice) 11 3993 Howard Hughes Parkway, Ste. 600 Las Vegas, Nevada 89169-5996 12 Telephone: (702) 949-8320 13 Facsimile: (702) 949-8321 14 Attorneys for USACM Liquidating Trust 15 16 17 18 19 20 21 22 23 24 25 26

Lewis and Roca LLP 3993 Howard Hughes Parkway Suite 600 Las Vegas, Nevada 89169

1	LOCAL RULE 902	1 CERTIFICATION
2	In accordance with LR 9021, counsel submitt accurately reflects the court's ruling and that	ting this document certifies that the order (check one):
3 4	This Court has waived the	ne requirement set forth in LR 9021(b)(1).
5	XXX No party appeared at the	hearing or filed an objection to the motion.
6 7 8 9	appeared at the hearing, at the hearing, and each failed to respond, as indi	of this proposed order to all counsel who and any unrepresented parties who appeared has approved or disapproved the order, or icated below [list each party and whether the pproved, or failed to respond to the
10 11 12	copy of this order with the	e under Chapter 7 or 13, that I have served a he motion pursuant to LR 9014(g), and that the form or content of the order
13	U.S. Trustee: Augie Landis	
۱4	☐ approved the form of this order	☐ disapprove d the form of this order
15 16	□ waived the right to review the order and/or	☐ failed to respond to the document
	Other Party:	
17	☐ approved the form of this order	☐ disapprove d the form of this order
18 19	☐ waived the right to review the order and/or	☑ failed to respond to the document
20 21 22 23 24 25 26	Submitted by: LEWIS AND ROCA LLP By: /s/ John Hinderaker. (AZ #018024) Attorneys for USACM Liquidating Trust #	# #
	[]	

Lewis and Roca LLP 3993 Howard Hughes Parkway Suite 600 Las Vegas, Nevada 89169

Date Claimants Name and Claim was Filed Address Direct Lender Loan Amount Subject to Address Trust Dtd 11/29/90 Pedro L. & Carol A Barroso Trust Dtd 11/29/90 Pedro Luis & Carol Ann Barroso Trust Dtd 11/29/90 Pedro Luis & Carol A Barroso Trust Dtd 11/29/90 Pedro L. & Carol A Barroso Trust Dtd 11/29/90 Pedro Luis & Carol A Barroso Trust Dtd 11/29/90 Pedro Luis & Carol A Barroso Trust Dtd 11/29/90 Pedro Luis & Carol A Barroso Trust Dtd 11/29/90 Pedro Luis & Carol A Barroso The Trust Dtd 11/29/90 Pedro Luis & Carol A Darroso Trust Dtd 11/29/90 Pedro Luis & Carol A Darroso Trust Dtd 11/29/90 Pedro Luis & Carol A Darroso Trust Dtd 11/29/90 Pedro Luis & Carol A Darroso Trust Dtd 11/29/90 Pedro Luis & Carol A Darroso Trust Dtd 11/29/90 Pedro Luis & Carol J Stephen Family Trust Dtd 1/22/94 Placer Vineyards II 380,000.00 30,000.00 11/47/906 St George, UT 84790-7551 Amesbury Hatters Point 127,856.98 73,993.00 11/6/2006 Stelling, Tom 21,3 Royal Aberdeen Way Placer Vineyards II 25,000.00 50,000.00 11/6/2006 Tetete, Norman 5301 Beethoven Street, Suite Placer Vineyards II 25,000.00 25,000.00 11/6/2006 Placer Vineyards II 25,000.00 25,000.00 11/6/2006 Placer Vineyards II 26,000.00 25,000.00 11/6/2006 Placer Vineyards II 26,000.00 25,000.00 11/6/2006 Placer Vineyards II 26,000.00 26,000.00 11/6/2006 Placer Vineyards II 26,000.00 26,000.00 11/6/2006 Placer Vineyards II 26,000.00							
Claim was		Date	Claimants Name and				
Filed		Claim was	Address		Total Claim	Amount Subject to	
Pedro L & Carol A Barroso Trust Did 11/29/90 Pedro Luis & Carol Ann Barroso Ttee 3231 Cambridgeshire St 10/4/2006 Las Vegas, NV 89146-6223 Pedro Luis & Carol A Barroso Pedro Luis & Carol Ann Barroso Ttee 3231 Cambridgeshire St Las Vegas, NV 89146-6223 Cabernet Highlands, LLC 168.017.76 25,000.00 Pedro Luis & Carol Ann Barroso Ttee 3231 Cambridgeshire St Las Vegas, NV 89146-6223 Cabernet Highlands, LLC 168.017.76 25,000.00 Pedro Luis & Carol Ann Barroso Ttee 3231 Cambridgeshire St Las Vegas, NV 89147 Placer Vineyards II 380,000.00 30,	Claim	Filed		Direct Lender Loan	Amount	Objection	Grounds for Objection
Pedro Luis & Carol Ann			Pedro L & Carol A Barroso				
Pedro Luis & Carol Ann Barroso Ttee			Trust Dtd 11/29/90				
Barroso Ttee			Pedro Luis & Carol Ann				
10/4/2006 Las Vegas, NV 89146-6223 Cabernet Highlands, LLC 168,017.76 25,000.00 Pedro L & Carol A Barroso Trust Did 11/29/90 Pedro Luis & Carol Ann Barroso Tice 3321 Cambridgeshire St 3321 Cambridgeshire St 2321 Cambridgeshire St 10/4/2006 Las Vegas, NV 89146-6223 Cabernet Highlands, LLC 168,017.76 25,000.00 Pedro Luis & Carol Ann Barroso Tice 3321 Cambridgeshire St 2321 C			Barroso Ttee				
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Premiere Holdings Inc Defined Benefit 10120 W. Flamingo, Suite 4- 12	00319	10/4/2006	Las Vegas, NV 89146-6223		168,017.76	25,000.00	Duplicate of 10725-01800
Defined Benefit			Premiere Holdings Inc				
10120 W. Flamingo, Suite 4- 12 12 12 12 130,000.00 30			Defined Benefit				
12 11/13/206 Las Vegas, NV 89147 Placer Vineyards II 380,000.00 30,000.00			10120 W. Flamingo, Suite 4-				
11/13/206 Las Vegas, NV 89147 Placer Vineyards II 380,000.00 30,000.00	10725-		12				
Stephen Family Trust Dtd 3/22/84 C/O Roy M & Carol J	00844	11/13/206	Las Vegas, NV 89147	Placer Vineyards II	380,000.00	30,000.00	Duplicate of 10725-01277
3/22/84 C/O Roy M & Carol J Stephen Ttees 1214 Yucca Cir 10/31/2006 St George, UT 84790-7551 Amesbury Hatters Point 127,856.98 73,993.00 Sterling, Tom 213 Royal Aberdeen Way 11/6/2006 Las Vegas, NV 89144 Fiesta Oak Valley 50,000.00 50,000.00 Sterling, Tom 213 Royal Aberdeen Way 11/6/2006 Las Vegas, NV 89134 Placer Vineyards II 25,000.00 25,000.00 Teeter, Norman 5301 Beethoven Street, Suite			Stephen Family Trust Dtd				
C/O Roy M & Carol J			3/22/84				
Stephen Ttees 1214 Yucca Cir 1216 Yucca Cir 1218			C/O Roy M & Carol J				
1214 Yucca Cir 10/31/2006 St George, UT 84790-7551 Amesbury Hatters Point 127,856.98 73,993.00 Sterling, Tom 213 Royal Aberdeen Way 11/6/2006 Las Vegas, NV 89144 Fiesta Oak Valley 50,000.00 50,000.00 Sterling, Tom 213 Royal Aberdeen Way 11/6/2006 Las Vegas, NV 89134 Placer Vineyards II 25,000.00 25,000.00 Teeter, Norman 5301 Beethoven Street, Suite 160			Stephen Ttees				
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213 Royal Aberdeen Way 11/6/2006 Las Vegas, NV 89144 Fiesta Oak Valley 50,000.00 50,000.00 Sterling, Tom 213 Royal Aberdeen Way 11/6/2006 Las Vegas, NV 89134 Placer Vineyards II 25,000.00 25,000.00 Teeter, Norman 5301 Beethoven Street, Suite 160			Sterling, Tom				
11/6/2006 Las Vegas, NV 89144 Fiesta Oak Valley 50,000.00 50,000.00	10725-		213 Royal Aberdeen Way				
Sterling, Tom 213 Royal Aberdeen Way 11/6/2006 Las Vegas, NV 89134 Placer Vineyards II 25,000.00 25,000.00 Teeter, Norman 5301 Beethoven Street, Suite 160	00994	11/6/2006	Las Vegas, NV 89144	Fiesta Oak Valley	50,000.00	50,000.00	Duplicate of 10725-01170
213 Royal Aberdeen Way 11/6/2006 Las Vegas, NV 89134 Placer Vineyards II 25,000.00 25,000.00 Teeter, Norman 5301 Beethoven Street, Suite 160			Sterling, Tom				
11/6/2006 Las Vegas, NV 89134 Placer Vineyards II 25,000.00 25,000.00 Teeter, Norman 5301 Beethoven Street, Suite 160	10725-		213 Royal Aberdeen Way				
Teeter, Norman 5301 Beethoven Street, Suite 160	00996	11/6/2006	Las Vegas, NV 89134	Placer Vineyards II		25,000.00	Duplicate of 10725-01176
5301 Beethoven Street, Suite			Teeter, Norman				
			5301 Beethoven Street, Suite				
	10725-		160				
	01582	12/8/2006	Los Angeles, CA 90066	Fiesta Oak Valley	136.246.00	20.500.00	Duplicate of 10725-02275

Page 5 of 6

USA	USACM Trust		Duplicate Claims	laims		Exhibit A
	Date Claim was	Claimants Name and		Total Claim	Amount Subject to	
Claim	Filed	Address	Direct Lender Loan	Amount	Objection	Grounds for Objection
10725-		Topp, Gerry P.O. Box 3008				Duplicate/Amended by
02416	1/22/2007	Grass Valley, CA 95945	Fiesta Oak Valley	521,406.20	50,000.00	10725-02416-2
		Wallace III, William C &				
		Ann Marie K				
		Christopher D Jaime Esq Po				
		Box 30000				
10725-		Maupin Cox & Legoy				
00517	10/18/2006	Reno, NV 89520	Amesbury Hatters Point	50,000.00	50,00.00	Duplicate of 10725-00662
		Westbrook, Connie				
10725- 01603	12/11/2006	14320 Ghost Rider Dr Reno NV 89511	Cahernet Highlands	22 995 75	11,457,29	Duplicate of 10725-01922
		Winkler IRA, Rudolf				
10725-		4201 Via Marina, Suite 300				
01640	12/11/2006	Marina Del Rey, CA 90292	Amesbury Hatters Point	80,474.00	80,474.00	Duplicate of 10/25-022/8
10705		Yonai Trustee, Gregory D				
00710	10/25/2006	I as Vegas NV 89135-1552	Fiesta Oak Valley	22 896 16	8.215.28	Duplicate of 10725-00983